

REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)  
5167

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number 5,898,421, granted April 27, 1999, and for which a reissue patent is sought on the invention entitled Gyroscopic Pointer and Method

the specification of which

☒ is attached hereto.

☐ was filed on \_\_\_\_\_ as reissue application number \_\_\_\_ / \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described as follows:

Applicant intended to claim all disclosed embodiments of the invention contained in the application as originally filed, including embodiments of a system operable with an input device comprising an inertial element for translating a displayable object in response to rotation of the input device, but did not adequately communicate his intentions to his attorneys of record in order to attain the scope of claims coverage to which he believes he is entitled.

[Page 1 of 2]

002780-05224960

(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

Docket Number (Optional)  
**5167**

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Name(s) Registration Number

Albert C. Smith 20,355

Correspondence Address: Direct all communications about the application to:

☐ Customer Number

OR

Type Customer Number here

Place Customer Number Bar  
Code Label here

<input checked="" type="checkbox"/> Firm or Individual Name	Fenwick & West, LLP				
Address	Two Palo Alto Square				
Address					
City	Palo Alto	State	CA	ZIP	94306
Country	U.S.A.				
Telephone	650-858-7296	Fax	650-494-1417		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001; and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name)

Thomas J. Quinn

Inventor's signature

Residence  
Los Gatos, California

Date

7-14-00

Post Office Address

5760 Harwood Ct., Los Gatos, CA 95032

Citizenship

U.S.A.

Full name of second joint inventor (given name, family name)

Inventor's signature

Date

Residence

Citizenship

Post Office Address

Full name of third joint inventor (given name, family name)

Inventor's signature

Date

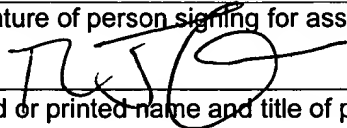
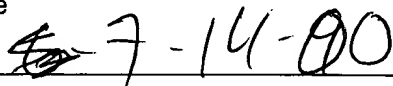
Residence

Citizenship

Post Office Address

☐ Additional joint inventors are named on separately numbered sheets attached hereto.

004730-0522960

<b>REISSUE APPLICATION BY THE ASSIGNEE, OFFER TO SURRENDER PATENT</b>		Docket Number (Optional) 5167
This is part of the application for a reissue patent based on the original patent identified below.		
Name of Patentee(s): Thomas J. Quinn		
Patent Number 5,898,421	Date Patent Issued April 27, 1999	
Title of Invention GYROSCOPIC POINTER AND METHOD		
<u>Gyration, Inc.</u> is the assignee of the entire interest in the original patent. I offer to surrender the original patent. <input checked="" type="checkbox"/> A certificate under 37 CFR 3.73(b) is attached.  I am authorized to act on behalf of the assignee.		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this declaration is directed.		
Name of assignee Gyration, Inc.		
Signature of person signing for assignee 	Date 	
Typed or printed name and title of person signing for assignee Thomas J. Quinn		

## Certificate Under 37 CFR § 3.73(b)

Applicant: Thomas J. Quinn

Application No.:

Filing Date: July 21, 2000

Name of Assignee: Gyration

Type of Assignee (e.g. corporation, partnership,  
university, government agency, etc.): Corporation

The above-mentioned Assignee certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached; OR
- B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_  
To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel: \_\_\_\_\_ and Frame: \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_  
To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel: \_\_\_\_\_ and Frame: \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_  
To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel: \_\_\_\_\_ and Frame: \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date

8/17/2000

Signature

A. C. Smith

Name

Title

**COPY**

For good and valuable consideration, receipt of which is hereby acknowledged, Thomas J. Quinn ("ASSIGNOR", herein) has assigned and transferred and does hereby assign and transfer to Gyration, Inc., a California corporation having a place of business at 12930 Saratoga Avenue, Saratoga, CA 95070 ("ASSIGNEE", herein) the entire right, title and interest in and to the following identified Letters Patent and Applications for Letters Patent of the United States:

<u>Patent No.:</u>	<u>Title:</u>	<u>Issue Date:</u>
5,440,326	Gyroscopic Pointer	08/08/95
5,898,421	Gyroscopic Pointer	04/27/99


<u>Application No.:</u>	<u>Title:</u>	<u>Filing Date:</u>
07/497,127	Gyroscopic Pointer	03/21/90
08/406,727	Gyroscopic Pointer	03/20/95

and in and to any and all applications for patent and patents therefor in any and all countries, including all divisionals, reissues, continuations, continuations-in-part, and extensions thereof, and in all inventions set forth and described therein, together with all rights of priority resulting from the filing in the United States of said Applications and the respective applications for said United States Letters Patents identified above, and the right to sue in its own name and to recover for past infringement of any of said Letters Patent, and the Assignor agrees that on request and without further consideration, but at the expense of the Assignee, the Assignor will communicate to the Assignee or its representatives or nominees any facts known to the Assignor respecting said United States Letters Patents and Applications and the inventions set forth therein, and will testify in any legal proceeding, sign all lawful documents, execute all divisional, continuing and reissue applications, make all rightful oaths or declaration and generally do everything possible to aid the Assignee, its successors, assigns and nominees to obtain, maintain, and enforce patent protection in all countries for the inventions

004250-00100

set forth in said United States Letters Patents and Applications for Letters Patents identified above and in all foreign counterparts thereof.

Signed and sealed this AUGUST day of 8, 2000.

  
 \_\_\_\_\_  
 Thomas J. Quinn

State of \_\_\_\_\_ }  
 County of \_\_\_\_\_ } ss

On this \_\_\_\_\_ day of \_\_\_\_\_, 2000, before me, \_\_\_\_\_, a Notary Public in and for the State of \_\_\_\_\_, personally appeared \_\_\_\_\_, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
 Notary Public